



House of Representatives

General Assembly

File No. 350

February Session, 2008

Substitute House Bill No. 5904

House of Representatives, April 1, 2008

The Committee on Human Services reported through REP. VILLANO of the 91st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING RECOVERY EXCEPTIONS FOR PUBLIC ACCOMMODATION DISCRIMINATION SETTLEMENTS AND AWARDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 17b-93 of the 2008 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2008*):

4 (c) No claim shall be made, or lien applied, against any payment
5 made pursuant to chapter 135, any payment made pursuant to section
6 47-88d or 47-287, any moneys received as a settlement or award in a
7 housing or employment or public accommodation discrimination case,
8 any court-ordered retroactive rent abatement, including any made
9 pursuant to subsection (e) of section 47a-14h, section 47a-4a, 47a-5, or
10 47a-57, or any security deposit refund pursuant to subsection (d) of
11 section 47a-21 paid to a beneficiary of assistance under the state
12 supplement program, medical assistance program, aid to families with
13 dependent children program, temporary family assistance program or
14 state-administered general assistance program or paid to any person

15 who has been supported wholly, or in part, by the state, in accordance
16 with section 17b-223, in a humane institution.

17 Sec. 2. Subsection (c) of section 17b-129 of the 2008 supplement to
18 the general statutes is repealed and the following is substituted in lieu
19 thereof (*Effective October 1, 2008*):

20 (c) No claim shall be made, or lien applied, against any payment
21 made pursuant to chapter 135, any payment made pursuant to section
22 47-88d or 47-287, any moneys received as a settlement or award in a
23 housing or employment or public accommodation discrimination case,
24 any court-ordered retroactive rent abatement, including any made
25 pursuant to subsection (e) of section 47a-14h, or section 47a-4a, 47a-5 or
26 47a-57, or any security deposit refund pursuant to subsection (d) of
27 section 47a-21 paid to a beneficiary of assistance under sections 17b-
28 122, 17b-124 to 17b-132, inclusive, 17b-136 to 17b-138, inclusive, 17b-
29 194 to 17b-197, inclusive, 17b-222 to 17b-250, inclusive, 17b-256, 17b-
30 263, 17b-340 to 17b-350, inclusive, 17b-689b and 17b-743 to 17b-747,
31 inclusive.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	17b-93(c)
Sec. 2	October 1, 2008	17b-129(c)

Statement of Legislative Commissioners:

In section 2 the references to the 2008 supplement to the general statutes following the string citation were deleted for clarity.

HS

Joint Favorable Subst.-LCO

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact: See below

Municipal Impact: See below

Explanation

This bill prohibits the state or municipalities from claiming or applying a lien against a lump-sum payment for a public accommodation discrimination case when received by people who have been in state humane institutions. To the extent that the state or towns would have sought such action, a potential indeterminate future revenue loss may result. However, such actions are considered infrequent.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5904*****AN ACT CONCERNING RECOVERY EXCEPTIONS FOR PUBLIC ACCOMMODATION DISCRIMINATION SETTLEMENTS AND AWARDS.*****SUMMARY:**

This bill prohibits the state from claiming or applying a lien against any money received as a settlement or award in a public accommodation discrimination case by people who have been supported wholly or in part by the state in a humane institution. The law defines these institutions as a state mental hospital, community mental health center, treatment facility for children and adolescents, or any other facility or program administered by the departments of Mental Health and Addiction Services, Developmental Services (successor to the Department of Mental Retardation), or Children and Families.

The prohibition also applies to claims or liens against individuals who received assistance from the State Supplement, Medicaid, Temporary Family Assistance (TFA), Aid to Families with Dependent Children (replaced by TFA in 1997), and State-Administered General Assistance programs.

The bill provides a similar prohibition in the law governing towns' ability to recover assistance provided to residents (former town-administered General Assistance recipients). The state took over that program in 1997, but towns can still recover benefits paid in certain circumstances.

The prohibition already applies to settlements and awards in housing and employment discrimination cases.

EFFECTIVE DATE: October 1, 2008

COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 19 Nay 0 (03/13/2008)